

Abstract

Legal limits of the cross-border movement of military materials

The global trade with military materials is an important, however often under-researched, area of academic enquiry. Such attitude is not correct, because in fact it is a massive global industry in which also Czech companies play a significant role. Given the newspaper headlines and statements of arms dealer, it is obvious there have long been unsolved problems burdening arms dealers caused especially by an inappropriate legal framework.

This theses aims to provide an analysis of legal framework in respect to cross-border movement of military materials covering especially European and Czech legislation focusing on its potential limits arising and important for arms dealers. On a global international level the Arms Trade Treaty and other relevant treaties regulating international trade with military materials are identified and described. Attention is also paid to limitations of arms trade such as embargoes or restrictive measures imposed by the UN and the EU respectively as well as to limitations resulting from domestic and European legislation or from its different interpretation. In view of different legal framework this thesis strictly distinguishes whether a movement is realized, while particular law is adequately reflected. There is further described and assessed a process of obtaining permit and license for the military materials export including all its possible risks.

Based on above mentioned the main goal of this thesis resides in discovering and analyzing current administrative and legal limitations occurring especially during export or transit of military materials. Due to data based on interviews with top Czech arms dealers a clear picture of day to day business problems can be made. These problems are finally in the last chapter summarized, categorized and mostly a solution or recommendation is offered.